

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop Box Amendment After Final Rejection – Fee; Commissioner for Patents, P O Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

Jodi A. Calderon

Date:

1-26-04

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Notice of Appeal  
w/ Fct.(3 mos)  
W/MRGA -  
2/6/04

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Corbett T. Hefner

Group Art Unit: 3727

Serial No.: 09/835,933

Examiner: Robin A. Hylton

Filed: April 16, 2001

Confirmation No. 9053

For: *Composite Breathable Produce Bag*

RECEIVED

JAN 03 2004

Attorney Docket: 81.010

Customer No. 23598

TECHNOLOGY CENTER R3700

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT  
APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

• The fee for this Notice of Appeal is (37 CFR 1.17(b)): \$335.00.

- Applicant claims **small** entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$165.00.

A check in the amount of \$165.00 is enclosed. No additional fees are believed to be payable with this communication since the Applicant previously requested a three-month extension of time and paid the associated fee for such request in their response filed January 15, 2004. Nevertheless, should the Examiner consider any fees to be payable in conjunction with this

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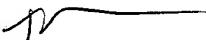
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U.S. Serial No. 09/835,933 – Hefner  
Group Art Unit 3727 – Attorney Docket 81.010  
Response to Office Action mailed July 25, 2003  
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or any future communication, the Director is authorized to direct payment of such fees, or credit any overpayment to Deposit Account No. 50-1170.

Respectfully submitted,



Timothy E. Newholm  
Registration No. 34,400

Dated: January 26, 2004

BOYLE FREDRICKSON NEWHOLM  
STEIN & GRATZ S.C.  
250 Plaza, Suite 1030  
250 East Wisconsin Avenue  
Milwaukee, WI 53202  
Telephone: (414) 225-9755  
Facsimile: (414) 225-9753